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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/669,740

09/24/2003

Jin Shenghao

15865.3a.1

4495

7590

04/23/2008

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EXAMINER

AYRES, TIMOTHY MICHAEL

ART UNIT

PAPER NUMBER

3637

MAIL DATE

DELIVERY MODE

04/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/669,740 | Applicant(s) SHENGHAO ET AL. | |
| | Examiner TIMOTHY M. AYRES | Art Unit 3637 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-7,9,10 and 12-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-7,9,10 and 12-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/04/07</u> . | 6) <input type="checkbox"/> Other: _____ |

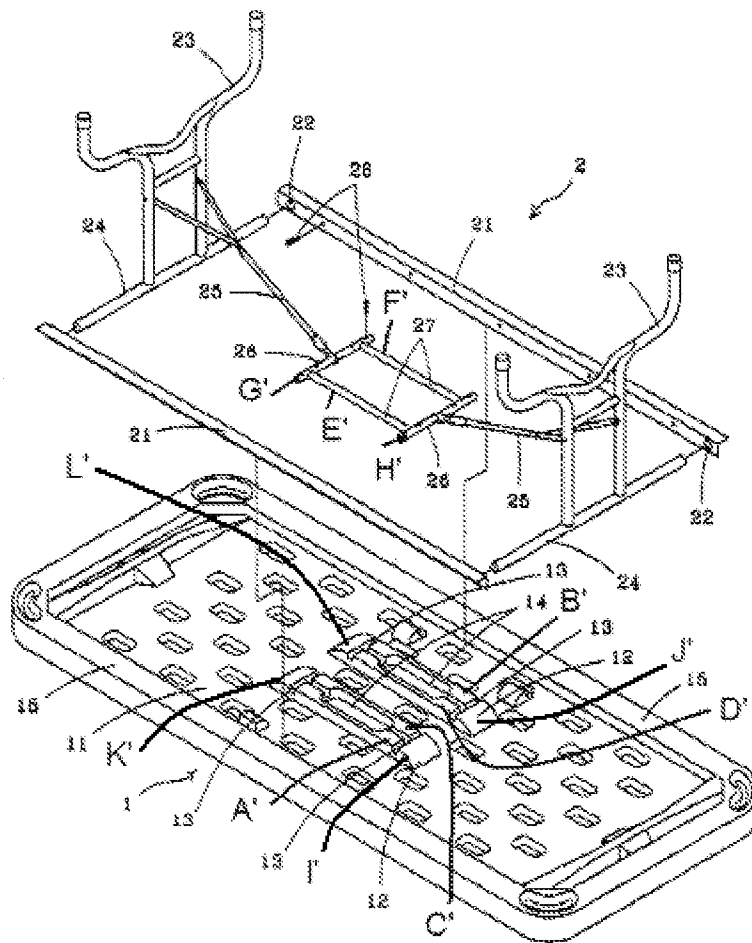
DETAILED ACTION

Claim Rejections - 35 USC § 103

1. Claims 1, 2, 5-7, 9, 10 and 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication 2003/0233967 to Lin. Lin teaches a table (1) with a table top. The table top has a top surface and a bottom surface. A mounting structure (12) is centrally disposed on the bottom surface. The mounting structure (12) includes a first generally c-shaped portion (A', I', K') including a center section (A') that is defined by the grooves (13), a first end portion (K') and a second end portion (I'). The mounting structure (12) includes a second generally c-shaped portion (B', J', L') including a center section (B') defined by the grooves (13), a first end portion (L'), and a second end portion (J'). Even though there are grooves between and defining the end portions from center sections, the bottoms of the grooves are still raised from the bottom surface of the tabletop and therefore the end portions are considered connected to the center sections. A box-like region is disposed in the bottom surface of the tabletop as defined by the parts of the mounting structures as seen in figure 1. A support assembly (26,27) is partially connected to the mounting structure (12). The center sections (A', B') have a surface that is generally perpendicular to the bottom of the table where the elongated supports (E', F') are attached. Both attachment surfaces are taught as being generally round which are considered to have portions that are generally/at least substantially planar due to the term "generally" and now the equivalent phrase "at least substantially" being viewed in the broadest reasonable interpretation to encompass a semicircular surface. The support assembly comprises a first elongated support

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member (E') attached to the center section (A') of the first generally c-shaped portion (A', I', K') of the mounting structure (12) and a spaced apart second elongated support member (F') attached to the center section (B') of second generally c-shaped portion (B', J', L') of the mounting structure (12). A first connecting member (G') is connected to the first support member (E') and the second support member (F'). A frame assembly has a first leg (23), which is attached to the first end of a first support brace (25). The second end of the first support brace is attached to the first connecting member (G') of support assembly (26,27). The mounting structure (12) comprises a pair of C-shaped mounting ridges (A', B') formed in the first portion (A', C') and the second portion (B', D') of the mounting structure (12) as seen in marked up figure 1 below. The mounting structure (12) is formed integrally with the table top. The table top is formed of blow-molded plastic. A second connecting member (H') is connected to the first support member (E') and the second support member (F'). A second leg (23) is movable between a use position and a storage position. A second support brace (25) includes a first portion and a second portion. The first portion is attached to the second leg (23) and the second portion is attached to the second connecting member (H') of the support assembly (26,27).



Lin '967 Figure 1

2. Lin does not expressly disclose a first and second connecting member connected to a center section of the first support member and a center section of the second support member, and first and second openings in the first and second elongated support members to allow for the connection of the first and second connecting members. As seen in figure 1 the first and second connecting members are connected to the ends of the first and second support members. At the time of the invention it would have been obvious for a person of ordinary skill in the art to modify the table of

Lin by making the connecting members shorter and the support members longer since applicant has not disclosed that having the first and second connecting member connected to a center section of the first support member and a center section of the second support member solves any stated problem or is for any particular purpose and it appears that the support assembly would perform equally well with the first and second connecting members are connected to the centers of the first and second support members since it is functionally equivalent and works equally well.

3. As ascertained from figure 1-3, it appears that openings on the connecting members receive the elongated support members. It would have been obvious for a person of ordinary skill in the art to modify the support assembly of Lin by having the openings on the elongated support members to receive the connecting members, since applicant has not disclosed that having the openings on the elongated support members solves any stated problem or is for any particular purpose and it appears that the support assembly would perform equally well with the openings on the elongated support members to receive the connecting members since it is functionally equivalent and works equally well.

Response to Arguments

Applicant's arguments filed 2/19/08 have been fully considered but they are not persuasive. Both attachment surfaces of the elongated support (E', F') and the center section (A', B') of Lin are taught as being generally round which is considered to have portions that are generally/at least substantially planar due to the term "at least

substantially” being viewed equivalent to the term “generally” and when viewed in the broadest reasonable interpretation to encompass a semicircular surface.

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMOTHY M. AYRES whose telephone number is (571)272-8299. The examiner can normally be reached on MON-THU 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. M. A./
Examiner, Art Unit 3637
4/21/2008

/Janet M. Wilkens/
Primary Examiner, Art Unit 3637